

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	8:22-cv-01883-JFW (JDE)	Date	February 22, 2023
Title	Donn Johnston v. City of Garden Grove		

Present: The Honorable John D. Early, United States Magistrate Judge

Maria Barr

n/a

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiff(s):

Attorneys Present for Defendant(s):

n/a

n/a

Proceedings: (In Chambers) Order to Show Cause re Dismissal for Failure to Prosecute/Failure to Comply with a Court Order

On January 5, 2023, following briefing and a hearing, the Court granted the Motion to Dismiss filed by Defendant City of Garden Grove ("Defendant") and ordered Plaintiff Donn Johnston ("Plaintiff"), if he desired to proceed with any claims against Defendant or any other defendant, to file a Second Amended Complaint ("SAC") within 35 days, that is, by February 9, 2023. Dkt. 31 ("Order"). On February 9, 2023, Plaintiff filed a Request for a 10-day Extension of Time (Dkt. 32) to file his SAC, which the Court granted, providing Plaintiff until February 21, 2023 to file any SAC in compliance with the Order and directed that any "requests for extension should be made before the applicable deadline has run" (Dkt. 33, "Extension Order"). As of the date of this Order, no SAC has been filed nor has Plaintiff sought a further extension in which to file an SAC. Plaintiff appears to be in violation of the Order, as modified by the Extension Order.

As a result, Plaintiff is ordered to show cause, in writing, within 7 days from the date of this Order, why this action should not be dismissed under Rule 41(b) of the Federal Rules of Civil Procedure for failure to comply with a court order and/or failure to prosecute this action. Plaintiff may comply with this order by filing a SAC that complies with the Order within 7 days.

IT IS SO ORDERED.